UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW HAMPSHIRE

Nelson Santana

V.

Civil No. 05-cv-064-JD

United States of America

PROCEDURAL ORDER

The petitioner has filed a motion requesting a certificate of appealability (document no. 22). The court declines to issue a certificate of appealability on the ground that the petitioner has failed to make a substantial showing of the denial of a constitutional right.

SO ORDERED.

Joseph A. DiClerico, Jr. United States District Judge

September 22, 2005

cc: Kevin L. Barron, Esquire Laurence B. Cote, Esquire Peter E. Papps, Esquire